



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

REDEVELOPMENT AGENCY

Dennis Kennedy, Chair
Hedy L. Chang, Vice-Chair
Larry Carr, Agency
Greg Sellers, Agency Member
Steve Tate, Agency Member

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Hedy Chang, Mayor Pro Tempore
Larry Carr, Council Member
Greg Sellers, Council Member
Steve Tate, Council Member

WEDNESDAY, JANUARY 22, 2003

AGENDA

JOINT MEETING

REDEVELOPMENT AGENCY REGULAR AND SPECIAL MEETING

and

CITY COUNCIL SPECIAL MEETING

5:00 P.M.

***A Special Redevelopment Agency and Special City Council Meeting Is Called
at 5:00 P.M. for the Purpose of Conducting Closed Sessions and City Business.***

Dennis Kennedy, Mayor

CALL TO ORDER

(Chairperson/Mayor Kennedy)

ROLL CALL ATTENDANCE

(Agency Secretary/City Clerk Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(Agency Secretary/City Clerk Torrez)

5:00

Redevelopment Agency Action and City Council Action

CLOSED SESSION:

1.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code 54957

Public Employee Performance Evaluation: City Manager

Attendees: City Council, City Manager

2.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure/Initiation of Litigation

Authority: Government Code Sections 54956.9(b) & (c)

Number of Potential Cases: 2

3.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Legal Authority: Government Code Section 54965.9(a)

Case Name: Morgan Hill Unified School District v. Minter & Fahy

Case No.: Santa Clara County Superior Court, No. CV 772368

Attendees: City Council, City Manager, City Attorney, Mark Strombotne, Special Counsel

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

OTHER REPORTS

Finance and Audit Committee Quarterly Report
City Treasurer Roorda

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE DEPUTY CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

Redevelopment Agency Action

CONSENT CALENDAR:

ITEMS 1-2 The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

- 1) **DECEMBER 2003 FINANCE AND INVESTMENT REPORT** 1
Recommended Action(s): Accept and File Report.
- 2) **ANNUAL STATE REDEVELOPMENT REPORTS FOR FISCAL YEAR 2001/2002** 13
Recommended Action(s): File the Fiscal Year 2001/2002 Redevelopment Agency's Annual Report of Financial Transactions, Housing Annual Report of Housing Activity, and Property Report.

City Council Action

CONSENT CALENDAR:

ITEMS 3-8

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

- 3) **AMENDMENT TO AGREEMENT WITH THE LAW FIRM OF ENDEMAN, LINCOLN, TUREK & HEATER** 71
Recommended Action(s): Authorize the City Manager to Execute an Amended Agreement with the Law Firm of Endeman, Lincoln, Turek & Heater.
- 4) **APPROVE PAYMENT TO SANTA CLARA COUNTY FOR VEGETATION ABATEMENT ON CITY-OWNED PROPERTY** 85
Recommended Action(s): Approve Payment in the Amount of \$40,156.72 for Vegetation Abatement in FY 2001/2002.

5)	<u>INSTALLATION OF FOUR-WAY STOP SIGNS AT SPRING AVENUE/WILLOW CREEK DRIVE INTERSECTION</u>	89
	<u>Recommended Action(s):</u> For City Council <u>Information</u> only.	
6)	<u>ACCEPTANCE OF SUBDIVISION IMPROVEMENTS FOR TRACT 9451, CAPRIANO PHASE IV</u>	91
	<u>Recommended Action(s):</u>	
	1. <u>Adopt</u> Resolution No. 5631 Accepting the Subdivision Improvements Included in Tract 9451, Commonly Known as Capriano Phase IV; and	
	2. <u>Direct</u> the City Clerk to File a Notice of Completion with the County Recorder's Office.	
7)	<u>POLICY REVISION – RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS), AFFORDABLE PROJECTS</u>	97
	<u>Recommended Action(s):</u> <u>Approve</u> the Recommended Policy Changes to Projects Competing Under the Affordable Housing Category.	
8)	<u>RESTORATION OF VEHICLE LICENSE FEES</u>	103
	<u>Recommended Action(s):</u>	
	1. <u>Adopt</u> Resolution No. 5632 Related to Restoration of Vehicle License Fees.	

City Council Action

OTHER BUSINESS:

	Time Estimate		Page
9)	45 Minutes	<u>PUBLIC MEETING REGARDING WATER AND SEWER RATES</u>	107
		<u>Recommended Action(s):</u>	
		1. <u>Discuss</u> Proposed Water and Sewer User Rates; and	
		2. <u>Direct</u> Staff to Return on February 5, 2003, as a Public Hearing for Consideration of Adjustments to Water User Rates.	
10)	10 Minutes	<u>CONSIDER REQUEST FROM MORGAN HILL COMMUNITY HEALTH FOUNDATION (MHCHE) FOR PARTIAL DISBURSEMENT OF MATCHING FUNDS</u>	151
		<u>Recommended Action(s):</u>	
		1. <u>Consider Request</u> by Morgan Hill Community Health Foundation, and	
		2. <u>Appropriate</u> Funding, as Deemed Appropriate.	

Redevelopment Agency Action

11)	30 Minutes	<u>SCHEMATIC DESIGN OF AQUATICS COMPLEX AND FINANCIAL ANALYSIS REPORT</u>	155
		<u>Recommended Action(s):</u>	
		1. <u>Conditional Approval</u> of the Schematic Design, Pending Agency and Staff Review, with Recommended Revisions; and	
		2. <u>Authorize</u> Staff to Proceed with the Design Development/Construction Document Phase of the Project.	

City Council Action

OTHER BUSINESS:

<u>Time Estimate</u>		Page
12)	15 Minutes	<u>CITY SUPPORT FOR CREATION OF 2-1-1 INFORMATION AND REFERRAL</u> <u>PHONE NUMBER</u>195 <u>Recommended Action(s):</u> 1. <u>Hear Presentation</u> by Silicon Valley United Way Representative, and 2. <u>Adopt</u> Resolution of Support, if Desired.

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT